



Smith Creek ATV Bridge

CATEGORICAL EXCLUSION REVIEW

PROPOSAL INFORMATION

Proposal Name: Smith Creek Restoration

PALS Tracking #: 60406

Proposal Date: 11/28/2018

Project File: C:\Users\briannakcarollo\Box\01.
brianna.carolloWorkspace\lag2019SmallProjects\Sm
ith Creek Restoration

Proponent Name: Joe Platz

Line Officer: Bill Gamble

General Location: Smith Creek confluence with
Meadow creek

District: La Grande Ranger District

County(ies): Union

Legal Description: 44.987N 118.532W 45.291N
118.603W

Anticipated Implementation: July 2021

Elevation Range: 4500 ft

Signing Authority: District Ranger

Watersheds: Middle Meadow Creek Subwatershed

APPLICABLE CATEGORY/IES

This proposal is categorically excluded from documentation in an EA or EIS because it fits the following category by removing a culvert and installing a bridge to improve aquatic organism passage and prevent resource damage.

Applicable Category: 36 CFR 220.6(e)(18) (DM Required)

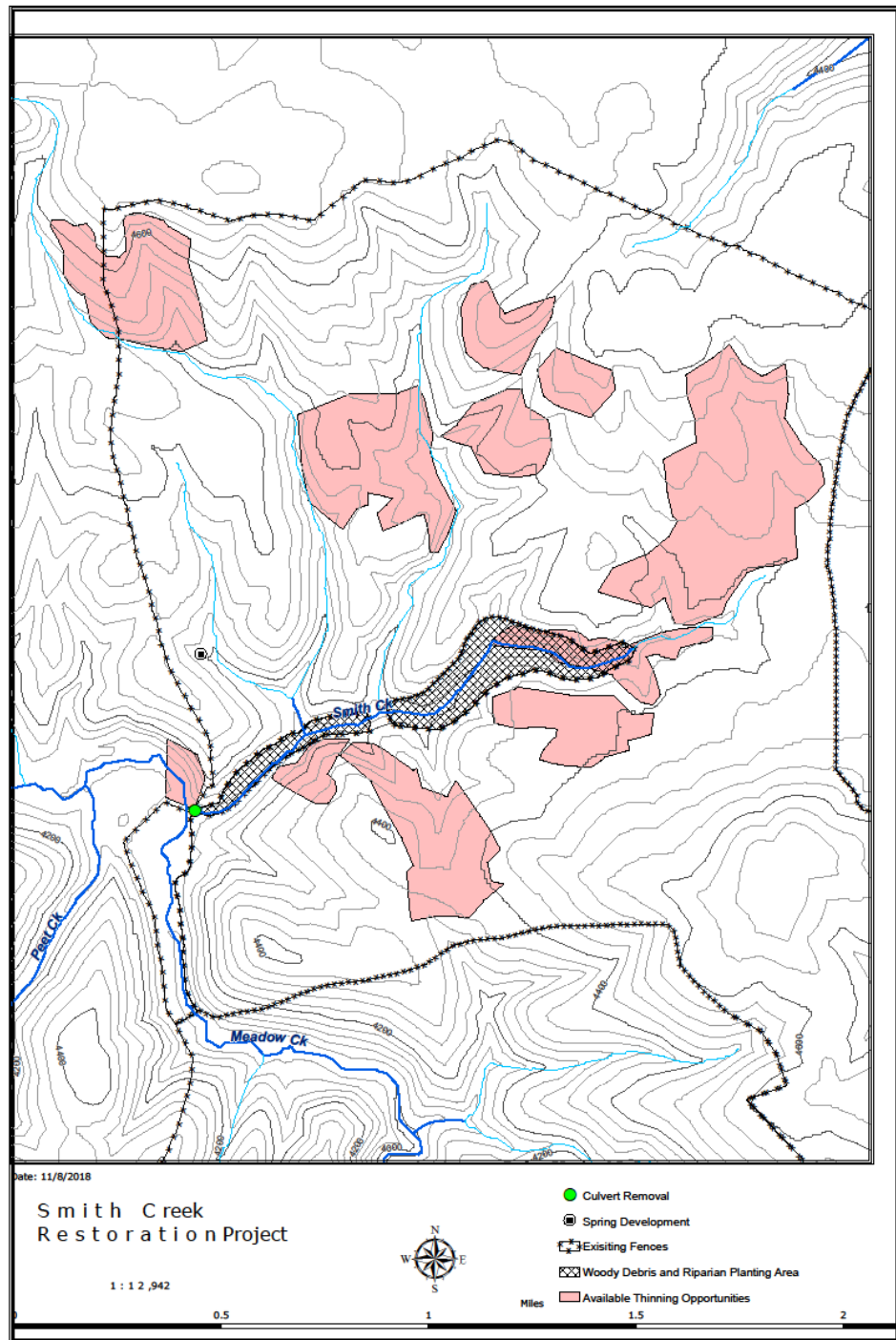
PROPOSAL

The culvert at the mouth of Smith Creek (confluence with Meadow Creek) is failing to adequately dispense water and acting as a fish passage barrier. We propose to replace this culvert with an all-terrain vehicle (ATV) bridge. The bridge will be used for fence maintenance by Forest Service crews.

Project Design Criteria

A survey by the district botanist will be conducted at the bridge site before project implementation. If any sensitive plants are discovered they will be avoided.

MAP(S)





PROPOSAL SCREENING

REGULATORY CONSIDERATIONS

Given the nature of the proposal, the Responsible Official is requesting documentation to demonstrate compliance with the following regulatory considerations in addition to NEPA:

- | | |
|---|---|
| <input checked="" type="checkbox"/> NFMA/Land Management Plan | <input checked="" type="checkbox"/> Tribal Consultation |
| <input checked="" type="checkbox"/> Endangered Species Act | <input checked="" type="checkbox"/> Clean Water Act |
| <input checked="" type="checkbox"/> Sensitive Species (FSM 2670) | <input checked="" type="checkbox"/> Pertinent Executive Orders |
| <input checked="" type="checkbox"/> National Historic Preservation Act | |

AGENCIES, ORGANIZATIONS & PERSONS TO BE CONTACTED

Given the nature of the proposal, the Line Officer/Responsible Official is requesting the following agencies, organizations and/or persons be contacted to provide input to, or to be made aware of, the proposal. A brief overview of feedback or comments provided is included.

NOAA Fisheries

Confederated Tribes of the Umatilla Indian Reservation (CTUIR)

State Historic Preservation Office

RESOURCE PARTICIPATION IN ENVIRONMENTAL ANALYSIS REVIEW

The Line Officer/Responsible Official has requested the following resource areas to review the proposal to determine compliance with the regulatory considerations.

Table 1: Documentation of Review Completion

Resource	Review Complete
Botany	12/15/2020 Sabrina Smits
Cultural/Heritage	6/30/2021 Erik Harvey
Fisheries	1/7/2020 Joe Platz
Soils	1/7/2020 Mary Young
Wildlife	12/15/2020 Rachel Granberg

ENVIRONMENTAL ANALYSIS REVIEW

NATIONAL FOREST MANAGEMENT ACT (NFMA) – LAND MANAGEMENT PLAN CONSISTENCY

The pertinent specialist has reviewed the proposal and made the following determinations regarding proposal consistency with applicable Land Management Plan direction, standards and guidelines.

Botany: Consistent

Engineering: N/A

Cultural/Heritage: Consistent

Fisheries: Consistent



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Fuels: N/A

Scenic Resources: N/A

Hydro: Consistent

Soils: Consistent

Lands/Special Uses: N/A

Silviculture: N/A

Minerals: N/A

Special Management Areas: N/A

Range: N/A

Wildlife: Consistent

Recreation: N/A

ENDANGERED SPECIES ACT

THREATENED, ENDANGERED, PROPOSED AND CANDIDATE SPECIES &/OR CRITICAL HABITAT

The pertinent specialists reviewed the proposal and made the following determinations for threatened, endangered and/or proposed species:

Table 2: TEPC Effect Determinations for ESA

Species/Habitat	Status	Proposed or Designated Critical Habitat Present?	Determination*	Brief Rationale (or refer to other project documentation)
Spring Chinook	Threatened	No	NLAA	NLAA short term, Beneficial effect long term. Covered under ARBO II.
Summer Steelhead	Threatened	Yes	NLAA	

*NE – No Effect; NLAA – May Affect, Not Likely to Adversely Affect; LAA – May Affect, Likely to Adversely Affect; No Jeopardy - Not Likely to Jeopardize the Continued Existence or Adversely Modify Critical Habitat

SUPPORTING PROJECT DOCUMENTATION

Table 3: Applicable Project File Documentation to Support ESA Compliance

Documentation Type	File Name (if applicable/needed)
ARBOII	C:\Users\briannacarollo\Box\01. brianna.carollo Workspace\lag2018Smal Projects\Smith Creek Restoration

**SENSITIVE SPECIES (FSM 2670)**

The pertinent specialists reviewed the proposal and made the following determinations for sensitive species:

Table 4: Sensitive Species Impact Determinations

Species	Determination*	Rationale (or refer to other project documentation)
Redband Trout	MIIH	Short term MIIH and long term beneficial effects.
Grey wolf	NI	Refer to wildlife BE.
California wolverine	NI	
Fringed myotis	NI	
White headed woodpecker	NI	
Shiny tightcoil	MIIH	Project activities will disturb ground vegetation and litter at a small scale.
Thinlip tightcoil	MIIH	
Western bumblebee, Suckley cuckoo bumblebee, Morrisoni bumblebee	MIIH	Ground-disturbing activities may compact the soil and have a negative effect on ground nesting bees.

NI – No Impact; **MIIH**- May Impact Individuals or Habitat, but Will Not Likely Contribute To A Trend Towards Federal Listing Or Loss Of Viability To The Population Or Species; **WIFV** - Will Impact Individuals or Habitat with A Consequence That the Action May Contribute To A Trend Towards Federal Listing Or Cause A Loss Of Viability To The Population Or Species

SUPPORTING PROJECT DOCUMENTATION

Table 5: Applicable Project File Documentation to Support Agency Sensitive Species Compliance

Documentation Type	File Name (if applicable/needed)
ARBOII, Wildlife BE	C:\Users\briannakarollo\Box\01. brianna.carollo Workspace\lag2018Sma Projects\Smith Creek Restoration

NATIONAL HISTORIC PRESERVATION ACT (NHPA) – SECTION 106 REVIEW

The pertinent specialist has reviewed the proposal and made the following determination regarding Section 106 compliance:

No historic properties affected - 36 CFR 800.4(d)(1). Section 106 Review has been completed for the project area and no National Register eligible cultural sites were found.

SUPPORTING PROJECT DOCUMENTATION

Table 6: Applicable Project File Documentation to Support NHPA Compliance

Documentation Type	File Name (if applicable/needed)
SHPO Programmatic Agreement	C:\Users\briannakarollo\Box\01. brianna.carollo Workspace\lag2018Sma Projects\Smith Creek Restoration



TRIBAL CONSULTATION

Based on the nature of the proposal, the line officer/responsible official made the following determination regarding Tribal Consultation:

Consultation with American Indian Tribes has been initiated and is ongoing.

COMMENTS

CTUIR – 2020 Program of Work

CTUIR and NPT – 02/04/2020 Consultation package delivered

CLEAN WATER ACT (CWA)

The pertinent specialist has reviewed the proposal and made the following determination:

This project will not adversely affect water quality in the long term.

PERTINENT EXECUTIVE ORDERS

The line officer and/or applicable specialist(s) have determined the proposal is in compliance with the following Executive Orders (EO), which were deemed pertinent based on the nature of the proposal.

- EO 11988, Floodplain Management
- EO 11990, Protection of Wetlands
- EO 12898, Environmental Justice
- EO 13007, Indian Sacred Sites
- EO 13112, Invasive Species
- EO 13175, Consultation & Coordination w/ Indian Tribal Governments



NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) – EXTRAORDINARY CIRCUMSTANCE CONSIDERATIONS

Pertinent specialists have reviewed the proposal and made the following determinations with regards to presence of extraordinary circumstances:

Table 7: Extraordinary Circumstance Determinations

Resources Conditions Considered for Extraordinary Circumstances	Is there a degree of potential effect that raises uncertainty over its significance? Briefly explain. ¹
WILDLIFE Federally listed threatened or endangered species, Designated critical habitat, Forest Service sensitive species	NO, there is no uncertainty Rationale for Yes/No: This is a routine set of actions with predictable effects.
FISHERIES Federally listed threatened or endangered species, Designated critical habitat, Forest Service sensitive species	NO, there is no uncertainty Rationale for Yes/No: This is a routine set of actions with predictable effects.
BOTANY Federally listed threatened or endangered species, Designated critical habitat, Forest Service sensitive species	NO, there is no uncertainty Rationale for Yes/No: This is a routine set of actions with predictable effects.
Floodplains, wetlands or municipal watersheds	NO, there is no uncertainty Rationale for Yes/No: This is a routine set of actions with predictable effects.
American Indians and Alaska Native religious or cultural sites	NO, there is no uncertainty Rationale for Yes/No: No cultural properties were identified within the project area. If any are discovered during implementation, the site will be protected.
Archaeological sites, or historic properties or areas	NO, there is no uncertainty Rationale for Yes/No: No historic properties were identified within the project area. If any are discovered during implementation, the site will

¹Be sure to provide resource context for rationale discussions. Is there something unique to this proposal or existing resource conditions that would lead to greater intensity of effects than would typically be anticipated for similar actions?



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Resources Conditions Considered
for Extraordinary Circumstances

Is there a degree of potential effect that raises uncertainty over its
significance? Briefly explain.¹
be protected.

DECISION MEMO

Smith Creek ATV Bridge

U.S. Forest Service

La Grande Ranger District, Wallowa-Whitman National Forest

Union County, OR

This decision incorporates all previous information in this document and included in the project file.

DECISION & RATIONALE

I have decided to authorize the activities described above in the [Proposal](#) section, to include any modifications identified during environmental analysis and review of regulatory compliance.

APPLICABLE CATEGORICAL EXCLUSION & FINDINGS REQUIRED BY OTHER LAWS

The [Proposal Information](#) section above provides rationale for categorically excluding this action from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) and for using category 36 CFR 220.6(e)(18). The [Environmental Analysis Review](#) section documents the finding that no extraordinary circumstances exist, along with findings required by other applicable laws and regulations, demonstrating compliance with the regulatory framework for the activities authorized by this decision.

AGENCIES, ORGANIZATIONS & PERSONS CONTACTED

A [list of agencies, organizations and/or persons contacted](#) regarding this proposal is provided above, along with a brief overview of comments/feedback received and how they were considered.

IMPLEMENTATION DATE

I intend to implement this decision in July 2021.

ADMINISTRATIVE REVIEW

Decisions that are categorically excluded from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) are not subject to an administrative review process (Agriculture Act of 2014 [Pub. L. No. 113-79], Subtitle A, Sec. 8006).

CONTACT

For additional information concerning this decision, contact:

Joe Platz, Fisheries Biologist, 3502 Hwy 30, La Grande, OR, 97850, 541-962-

7/6/2021

Bill Gamble

District Ranger, La Grande Ranger District



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